



Attorney Docket No. P006 D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	John F. Shanley		
Serial No.:	09/867,382	Art Unit:	3763
Filed:	May 31, 2001	Examiner:	Mendez, Manuel A.
For:	EXPANDABLE MEDICAL DEVICE DELIVERY SYSTEM AND METHOD		

INFORMATION DISCLOSURE STATEMENT

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a.  A PTO-Form 1449 listing all patents, publications, applications, or other information submitted for consideration by the office.
- 1b. A legible copy of:
  - Each publication and foreign patent reference;
  - Each publication or that portion which caused it to be listed on the PTO-1449;
  - For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;
  - all other information or portion which caused it to be listed on the PTO-1449.

06/03/2004 JBALINAN 00000045 503100 09867382

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2.  This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):

- Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
- Before the mailing of the first Office action on the merits;
- Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

3.  This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.

3a.  The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.

3b.  The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:

- enclosed.

4.  This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.  
The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:  
 enclosed.

The Certification Statement in Item 5 below is applicable.

5.  Certification Statement (applicable if Item 3a or Item 4 is checked)

5a.  In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

5b.  Each item of information contained in this information disclosure statement was cited

in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

5c.  Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

6.  This application is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).

6a.  A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.

6b.  Copies of publications listed on Form PTO-1449 from prior application Serial No. , filed on , of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).

6c.  Copies of the foreign patents and publications listed on Form PTO-1449 are provided herewith.

7.  This is a Supplemental Information Disclosure Statement.

7a.  This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on . A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on .

8.  In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

8a.  satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.

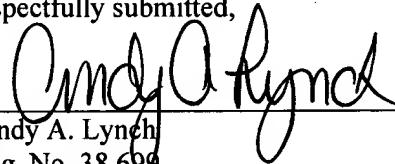
8b.  set forth in the application.

8c.  enclosed as an attachment hereto.

9.  The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Conor Medsystems, Inc. Deposit Account No. 50-3100.

10.  No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,



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Cindy A. Lynch  
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Date: May 27, 2004

Application No. 09/867,382  
Attorney Docket No. P006 D1

ATTY DOCKET NO.

APPLICATION NO

P006 D1

09/867,382

APPLICANT

John F. Shanley

FILING DATE

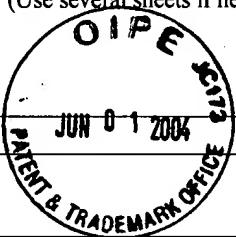
May 31, 2001

GROUP

3763

## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



Sheet 1 of 1

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
1.		6,706,062	3-16-04	Vardi et al.			
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	YES	NO
16.									
17.									
18.									
19.									
20.									
21.									
22.									

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

24.	
25.	
26.	
27.	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

# FEE TRANSMITTAL for FY 2003

*Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ ) 180.00

## Complete if Known

Application Number 09/867,382

Filing Date May 31, 2001

First Named Inventor John F. Shanley

Examiner Name Mendez, Manuel A.

Group Art Unit 3763

Attorney Docket No. P006 D1 (formerly 032304-020)

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None

Deposit Account

Deposit Account Number 50-3100

Deposit Account Name Conor Medsystems, Inc.

The Commissioner is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments

Charge any additional fee(s) during the pendency of this application

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Description	
1051 130	2051 65	Surcharge – late filing fee or oath	
1052 50	2052 25	Surcharge – late provisional filing fee or cover sheet.	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive – unavoidable	
1453 1,330	2453 665	Petition to revive – unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

SUBTOTAL (1) (\$ )

Total Claims -20\*\* =  x  =

Independent Claims -3\*\* =  x  =

Multiple Dependent  =

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Fee from Claims below Fee Paid

Large Entity Small Entity

Fee Code (\$)

Fee Description

Fee Paid

Fee Code (\$)

Fee Description

Fee Paid

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ )

180.00

## Complete (if applicable)

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Cindy A. Lynch	Registration No. (Attorney/Agent)	38,699	Telephone (650) 614-4131
Signature	<i>Cindy A. Lynch</i>	Date	May 27, 2004	